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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,760	03/30/2001	Yasuhisa Fujiwara	108207	3858

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EXAMINER

POND, ROBERT M

ART UNIT PAPER NUMBER

3625

DATE MAILED: 04/11/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/820,760

Applicant(s)

FUJIWARA, YASUHISA

Examiner

Robert M. Pond

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 25 January 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAIL ACTION

Response to Amendment

The Applicant amended Claims 9 and 10. All pending claims (1-16) were examined in this final office action.

Response to Arguments

Rejection under 35 USC 112

The Applicant amended Claim 10. Rejection of Claim 10 under 35 USC 112 is withdrawn.

Rejection under 35 USC 101

The Applicant amended Claim 9. Rejection of Claim 9 under 35 USC 101 is withdrawn.

Rejection under 35 USC 102(e)

Applicant's arguments filed 25 January 2005 have been fully considered but they are not persuasive.

Hyundai teaches an automotive web site allowing users to order parts online, specifically cites parts for installation and users searching a dealership for parts destination, and further teaches independent repair shops or dealerships providing automotive service.

BW teaches an automotive web site allowing users to schedule automotive service appointments online, and further teaches the online web site providing convenience and efficiency for the user and service provider.

In combination with Hyundai, Hyundai and BW teach and or suggest a) consumers shopping online for parts and using independent repair shops and dealers for service and installation, and b) scheduling online a service appointment with a service shop. Regarding a user-specified installation date, the Examiner maintains the position that it is well within the skill of one of ordinary skill in the art to ascertain that scheduling a service appointment pertains to at least a) scheduling a date for the service, and b) at least designating a date when the vehicle is available for service by the owner. The Applicant reminds the Examiner that the invention is directed to methods and apparatus for effecting electronic commercial transactions that allow at least one part to be installed on a user-designated installation date. From a business method perspective, it is notoriously old and well known for customer's requiring the installation of at least one part to designate a date the vehicle can be made available for the repair service. It is notoriously old and well known for a) an independent repair shop or dealer to designate dates when an appointment can be scheduled in which the owner either accepts the date or counters with an alternate date when the owner cannot agree to the original date, or b) the owner initially designates a date when he/she can make the car available in which the service provider either accepts or counters with an alternate appointment date. In light of the teachings

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of Hyundai and BW regarding scheduling appointments, it is well within the skill for one of ordinary skill in the art at time of the invention to ascertain the need to acquire a user-specified installation date for the at least one part.

The Examiner is including the following for the Applicant's convenience and review:

- Seller Offers Warmth on the Web, by Susan Carney, Automotive News, 21 February 2000. Carney teaches integrating online service appointment scheduling and service-reminders with online parts ordering.
- Autoweb.com Launches First Real-time Online Vehicle Maintenance Service, PR Newswire, 24 August 1999. Consumers can set an appointment time with the service provider of their choice.
- Autoweb.com; Internet Archives Wayback Machine, www.archive.org; 01 March 2000; teaches the consumer can designate the consumer's desired appointment time with the consumer's desired service provider.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

- 1. Claims 1-8 are rejected under 35 USC 103(a) as being unpatentable over Hyundai (a collection of prior art regarding Hyundai's Parts Online extranet, Paper #5, PTO-892, Items: U-W), in view of BW (Paper #5, PTO-892, Item: UU).**

Hyundai teaches an electronic commerce method that allows users to order automotive parts online by accessing a web site. Hyundai teaches the web site being implemented with Windows NT servers and extranet technology. Hyundai further teaches:

- Image data; transmitting image data: online user receives repair information, data, and diagrams to ensure proper installation of parts (U: see at least page 2).
- Matching parts: VIN ensures precise parts matching (U: see at least page 2).
- Users ordering parts: part ordering is easily accomplished with a few mouse clicks; access "order parts and accessories;" receiving matching parts, and pick up order of selected part(s) (U: see at least page 2).

- A server computer connected to a communications network: Users access the Parts Online web site via a communications network (e.g. Internet); Windows NT servers manage the web site and serve as a front end to legacy systems and databases (W: see at least page 2).
- Input means to database: user's enter information using web interface; query Hyundai's database (W: see at least page 2); User is asked to type year, model, VIN number; VIN ensures precise parts matching during search (U: see at least pages 1-2) (please note disclosures pertaining to online parts catalog hosted by the catalog publisher (first database) and Hyundai's database (second database)).
- Means for searching for a facility; transmitting the obtained facility data to user terminal: for user selects the dealer at the Web site; dealers provide parts and service; 20% of users are interested in using the dealer for service (V: see at least page 2); user enters zip code to determine nearest dealership (please note examiner's interpretation: zip code location chosen by the user is a convenient location for the user); queries are executed by servers accessing Hyundai databases (W: see at least page 2).
- Output display means: Transmits parts information, data, and diagrams to user to ensure proper installation of parts (U: see at least page 2); NT servers present graphics (W: see at least page 2).

Hyundai teaches all the above as noted under the 103(a) rejection and teaches a) a user ordering parts for installation, and selecting one or more parts by typing year, model, and VIN number (U: see at least pages 1-2), b) at the Web site a user entering zip code to determine nearest dealership for the dealer and selecting dealer (W: see at least page 2), and c) the dealers providing parts and service, and users interested in using the dealer for service (V: see at least page 2), but does not disclose online service scheduling. BW teaches Autoweb.com launching the Autoweb.com Service Center that offers a) consumers in-depth repair information, b) striving to give the consumer and service partners the most convenient, efficient experience, and further teaches Automweb.com providing consumers the ability to schedule automotive service appointments online (UU: see at pages 1-3). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the method of Hyundai to implement online service scheduling as taught by BW, in order to provide users with an online service appointment scheduling services with a dealer, and thereby attract users who want convenient and efficient online experiences.

Hyundai and BW teach all the above as noted under the 103(a) rejection and teach parts ordering for installation and scheduling automotive service appointments online as being convenient and efficient for the user and service provider, but do not specifically disclose a user-specified installation date. It would have been obvious to one of ordinary skill in the art at time of the invention to disclose a user-specified installation date, since one of ordinary skill in the art

would ascertain scheduling an installation service appointment pertains to at least scheduling a date for the installation service, and that scheduling a date for installation service is neither convenient nor efficient for the user without at least ascertaining when the user can make the vehicle available for installation service. It would have been obvious to one of ordinary skill in the art at time of the invention to disclose a user-specified installation date, since one of ordinary skill in the art would ascertain scheduling an installation service appointment pertains to at least scheduling a date for the installation service, and that requesting a user-specified date for installation service is neither convenient nor efficient for the user and service provider without at least making the user aware of what dates are currently available for installation service.

Pertaining to system Claim 7

Rejection of Claim 7 is based on the same rationale as noted above.

Pertaining to apparatus Claim 8

Rejection of Claim 8 is based on the same rationale as noted above.

2. **Claims 9 and 10 are rejected under 35 USC 103(a) as being unpatentable over Hyundai (a collection of prior art regarding Hyundai's Parts Online extranet, Paper #5, PTO-892, Items: U-W), in view of BW (Paper #5, PTO-892, Item: UU), further in view of Official Notice (Paper #5, admitted prior art regarding service appointment information).**

Hyundai teaches an electronic commerce method that allows users to order automotive parts online by accessing a web site. Hyundai teaches the web site being implemented with Windows NT servers and extranet technology. Hyundai further teaches:

- Image data; transmitting image data: online user receives repair information, data, and diagrams to ensure proper installation of parts (U: see at least page 2).
- Matching parts: VIN ensures precise parts matching (U: see at least page 2).
- Users ordering parts: part ordering is easily accomplished with a few mouse clicks; access "order parts and accessories;" receiving matching parts, and pick up order of selected part(s) (U: see at least page 2).
- A server computer connected to a communications network: Users access the Parts Online web site via a communications network (e.g. Internet); Windows NT servers manage the web site and serve as a front end to legacy systems and databases (W: see at least page 2).
- Input means to database: user's enter information using web interface; query Hyundai's database (W: see at least page 2); User is asked to type year, model, VIN number; VIN ensures precise parts matching during search (U: see at least pages 1-2) (please note disclosures pertaining to online parts catalog hosted by the catalog publisher (first database) and Hyundai's database (second database)).

- Means for searching for a facility; transmitting the obtained facility data to user terminal: for user selects the dealer at the Web site; dealers provide parts and service; 20% of users are interested in using the dealer for service (V: see at least page 2); user enters zip code to determine nearest dealership (please note examiner's interpretation: zip code location chosen by the user is a convenient location for the user); queries are executed by servers accessing Hyundai databases (W: see at least page 2).
- Output display means: Transmits parts information, data, and diagrams to user to ensure proper installation of parts (U: see at least page 2); NT servers present graphics (W: see at least page 2).

Hyundai teaches all the above as noted under the 103(a) rejection and teaches a) a user ordering parts for installation, and selecting one or more parts by typing year, model, and VIN number (U: see at least pages 1-2), b) at the Web site a user entering zip code to determine nearest dealership for the dealer and selecting dealer (W: see at least page 2), and c) the dealers providing parts and service, and users interested in using the dealer for service (V: see at least page 2), but does not disclose online service scheduling. BW teaches Autoweb.com launching the Autoweb.com Service Center that offers a) consumers in-depth repair information, b) striving to give the consumer and service partners the most convenient, efficient experience, and further teaches Automweb.com providing

consumers the ability to schedule automotive service appointments online (UU: see at pages 1-3). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the method of Hyundai to implement online service scheduling as taught by BW, in order to provide users with an online service appointment scheduling services with a dealer, and thereby attract users who want convenient and efficient online experiences.

Hyundai and BW teach all the above as noted under the 103(a) rejection and teach parts ordering for installation and scheduling automotive service appointments online as being convenient and efficient for the user and service provider, but do not specifically disclose a user-specified installation date. It would have been obvious to one of ordinary skill in the art at time of the invention to disclose a user-specified installation date, since one of ordinary skill in the art would ascertain scheduling an installation service appointment pertains to at least scheduling a date for the installation service, and that scheduling a date for installation service is neither convenient nor efficient for the user without at least ascertaining when the user can make the vehicle available for installation service. It would have been obvious to one of ordinary skill in the art at time of the invention to disclose a user-specified installation date, since one of ordinary skill in the art would ascertain scheduling an installation service appointment pertains to at least scheduling a date for the installation service, and that requesting a user-specified date for installation service is neither convenient nor

efficient for the user and service provider without at least making the user aware of what dates are currently available for installation service.

Hyundai and BW teach all the above as noted under the 103(a) rejection and teach a) selecting and ordering one or more parts for installation, b) communicating with the selected dealership using email to confirm order status, and c) scheduling service online with a dealership providing service, but do not disclose a creating job management information. This examiner takes the position that it is old and well-known that automotive service centers at least request information pertaining to the type of automobile to be serviced (e.g. make, model, year) and user name. Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the method of Hyundai and BW to create job management information as taught by Official Notice, in order for service shops to effectively service the online user, and thereby attract users to the online service.

Pertaining to system Claim 10

Rejection of Claim 10 is based on the same rationale as noted above.

3. **Claims 11-16 are rejected under 35 USC 103(a) as being unpatentable over Hyundai (a collection of prior art regarding Hyundai's Parts Online extranet, Paper #5, PTO-892, Items: U-W), in view of BW (Paper #5, PTO-892, Item: UU), further in view of PR Newswire (Paper #5, PTO-892, Item: X, hereinafter referred to as "PRN").**

Hyundai teaches an electronic commerce method that allows users to order automotive parts online by accessing a web site. Hyundai teaches the web site being implemented with Windows NT servers and extranet technology. Hyundai further teaches:

- Image data; transmitting image data: online user receives repair information, data, and diagrams to ensure proper installation of parts (U: see at least page 2).
- Matching parts: VIN ensures precise parts matching (U: see at least page 2).
- Users ordering parts: part ordering is easily accomplished with a few mouse clicks; access "order parts and accessories;" receiving matching parts, and pick up order of selected part(s) (U: see at least page 2).
- A server computer connected to a communications network: Users access the Parts Online web site via a communications network (e.g. Internet); Windows NT servers manage the web site and serve as a front end to legacy systems and databases (W: see at least page 2).
- Input means to database: user's enter information using web interface; query Hyundai's database (W: see at least page 2); User is asked to type year, model, VIN number; VIN ensures precise parts matching during search (U: see at least pages 1-2) (please note disclosures pertaining to online parts catalog hosted by the catalog publisher (first database) and Hyundai's database (second database)).

- Means for searching for a facility; transmitting the obtained facility data to user terminal: for user selects the dealer at the Web site; dealers provide parts and service; 20% of users are interested in using the dealer for service (V: see at least page 2); user enters zip code to determine nearest dealership (please note examiner's interpretation: zip code location chosen by the user is a convenient location for the user); queries are executed by servers accessing Hyundai databases (W: see at least page 2).
- Output display means: Transmits parts information, data, and diagrams to user to ensure proper installation of parts (U: see at least page 2); NT servers present graphics (W: see at least page 2).

Hyundai teaches all the above as noted under the 103(a) rejection and teaches a) a user ordering parts for installation, and selecting one or more parts by typing year, model, and VIN number (U: see at least pages 1-2), b) at the Web site a user entering zip code to determine nearest dealership for the dealer and selecting dealer (W: see at least page 2), and c) the dealers providing parts and service, and users interested in using the dealer for service (V: see at least page 2), but does not disclose online service scheduling. BW teaches Autoweb.com launching the Autoweb.com Service Center that offers a) consumers in-depth repair information, b) striving to give the consumer and service partners the most convenient, efficient experience, and further teaches Automweb.com providing

consumers the ability to schedule automotive service appointments online (UU: see at pages 1-3). Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the method of Hyundai to implement online service scheduling as taught by BW, in order to provide users with an online service appointment scheduling services with a dealer, and thereby attract users who want convenient and efficient online experiences.

Hyundai and BW teach all the above as noted under the 103(a) rejection and teach parts ordering for installation and scheduling automotive service appointments online as being convenient and efficient for the user and service provider, but do not specifically disclose a user-specified installation date. It would have been obvious to one of ordinary skill in the art at time of the invention to disclose a user-specified installation date, since one of ordinary skill in the art would ascertain scheduling an installation service appointment pertains to at least scheduling a date for the installation service, and that scheduling a date for installation service is neither convenient nor efficient for the user without at least ascertaining when the user can make the vehicle available for installation service. It would have been obvious to one of ordinary skill in the art at time of the invention to disclose a user-specified installation date, since one of ordinary skill in the art would ascertain scheduling an installation service appointment pertains to at least scheduling a date for the installation service, and that requesting a user-specified date for installation service is neither convenient nor

efficient for the user and service provider without at least making the user aware of what dates are currently available for installation service.

Hyundai and BW teach all the above as noted under the 103(a) rejection and teach a) online parts ordering for installation service, and b) scheduling installation service online, and c) automotive web sites providing convenient and efficient online experiences for users, but do not disclose users receiving a repair estimate. PRN teaches users ordering parts online from a web site, and further teaches the user receiving repair cost estimates online (X: see pages 1-2).

Therefore it would have been obvious to one of ordinary skill in the art at time of the invention to modify the method of Hyundai and BW to provide repair cost estimates as taught by PRN, in order for users to know how much the total cost of service is estimated to be, and thereby attract users to the online service by providing a service that is convenient and efficient.

Pertaining to system Claims 12-14

Rejection of Claims 12-14 is based on the same rationale as noted above.

Pertaining to apparatus Claims 15-16

Rejection of Claims 15-16 is based on the same rationale as noted above.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

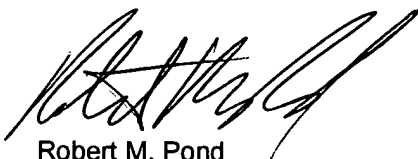
- Carney, Susan; Seller Offers Warmth on the Web, Automotive News, 21 February 2000, Proquest #49996982, 4pgs; teaches integrating online service appointment scheduling and service-reminder with parts ordering.
- Autoweb.com Launches First Real-time Online Vehicle Maintenance Service, PR Newswire, 24 August 1999, Proquest #44146961, 2pgs; teaches consumers setting an appointment time with the service provider of their choice.

- Autoweb.com; Internet Archives Wayback Machine, www.archive.org; 01 March 2000; teaches the consumer setting an appointment time with the service provider of the consumer's choice.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Pond whose telephone number is 703-605-4253. The examiner can normally be reached on 8:30AM-5:30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ms. Wynn Coggins can be reached on 703-308-1344. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Robert M. Pond
Primary Examiner
April 4, 2005